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VIA ELECTRONIC FILING

August 25, 2022

The Honorable Gabriel W. Gorenstein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

**Re: Your Honor's Order dated August 23, 2022
Tyler Erdman v. Adam Victor, et al., No. 20 Civ. 4162**

Dear Judge Gorenstein,

This letter is written as directed in Your Honor's Order dated August 23, 2022. As the Plaintiff can attest, my firm is involved in numerous matters involving Mr. Victor. I am lead counsel of record and the managing member of my firm. In the allocation of work on various cases including the case at bar, Mr. Rodriguez has been the primary point of contact and interaction with the Plaintiff, this Court and our client. He has been managing the discovery process, however, we have regular discussions regarding all phases of case management.

I receive notices via email when the court file in the instant case is updated, and I instructed Mr. Rodriguez more than once about the August 17 deadline regarding Mr. Victor's sworn statement. I was inactive for a period of two weeks from July 28 through August 11 recovering from an emergency appendectomy surgery but was working again full time at that point.

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I instructed Mr. Rodriguez to contact any prior custodians of documents to comply with the Court's previous order and had discussion with our client regarding these required efforts to produce the documents indicated.

The reason I did not personally seek an extension of the court-ordered deadline was that Mr., Rodriguez indicated to me that he would be able to timely submit the statement, even with everything he was facing in his personal life. I wish to assure the Court I do not operate under a philosophy of "better to ask forgiveness than permission", and neither does Mr. Rodriguez. We have had discussions regarding his mistake in not seeking an extension before the expiration of Your Honor's deadline. Rest assured he will make any future applications at the proper time.

I wish to thank the Court at this time for granting our application for the extension of time to comply with Your Honor's Order of August 23.

Do not hesitate to contact me with any questions or comments.

Yours faithfully
Polizzotto & Polizzotto, LLC

Alfred Polizzotto III

